

## Senate Bill No. 1580

### CHAPTER 1049

An act to add Section 22200.5 to, and to repeal and add Section 22200 of, the Education Code, relating to the State Teachers' Retirement System.

[Approved by Governor September 28, 2002. Filed  
with Secretary of State September 28, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1580, Burton. Teachers' Retirement Board.

Under existing law, the State Teachers' Retirement System and the State Teachers' Retirement Plan are administered by the 12-member Teachers' Retirement Board, as specified.

This bill would, operative January 1, 2004, revise the composition of the membership of the board, as specified. The bill would also provide for the election or appointment of those members, and specify the terms and qualifications of those members who do not serve ex officio.

*The people of the State of California do enact as follows:*

SECTION 1. Section 22200 of the Education Code is repealed.

SEC. 2. Section 22200 is added to the Education Code, to read:

22200. (a) The plan and the system are administered by the Teachers' Retirement Board. The members of the board are as follows:

(1) The Superintendent of Public Instruction.

(2) The Controller.

(3) The Treasurer.

(4) The Director of Finance.

(5) Three persons who are either members of the Defined Benefit Program or participants in the Cash Balance Benefit Program, as follows:

(A) One person who, at the time of election, is an active member of the Defined Benefit Program or an active participant of the Cash Balance Benefit Program employed by a school district that provides instruction for grades K to 12, inclusive, or a county office of education, in a position other than a school administrator that requires a services credential with a specialization in administrative services. This member shall be elected by the active members of the Defined Benefit Program and active participants of the Cash Balance Benefit Program who are employed by a school district that provides instruction for grades K to 12, inclusive,

or county office of education, pursuant to regulations adopted by the board, for a four-year term commencing on January 1, 2004.

(B) One person who, at the time of election, is an active member of the Defined Benefit Program or an active participant of the Cash Balance Benefit Program employed by a school district that provides instruction for grades K to 12, inclusive, or a county office of education. This member shall be elected by the active members of the Defined Benefit Program who are employed by a school district that provides instruction for grades K to 12, inclusive, or a county office of education, pursuant to regulations adopted by the board, for a four-year term commencing on January 1, 2004.

(C) One person who, at the time of election, is a community college instructor and an active member of the Defined Benefit Program or an active participant of the Cash Balance Benefit Program employed by a community college district, who shall be elected by the active community college members of the Defined Benefit Program and the active community college participants of the Cash Balance Benefit Program, pursuant to regulations adopted by the board, for a four-year term commencing on January 1, 2004.

(6) Five persons appointed by the Governor for a term of four years, subject to confirmation by the Senate, as follows:

(A) One person who, at the time of appointment, is a member of the governing board of a school district or a community college district.

(B) One person who is either a retired member under this part or a retired participant under Part 14 (commencing with Section 26000).

(C) Three persons representing the public, whose terms shall be staggered by varying the first terms of these members.

(b) The members of the board shall annually elect a chairperson and vice chairperson.

SEC. 3. Section 22200.5 is added to the Education Code, to read:

22200.5. (a) The board shall conduct the elections of members described in Section 22200 pursuant to regulations adopted by the board.

(b) The board shall hold special elections to fill vacancies that occur during the term of the elected members of the board. If, at the time a vacancy occurs, the unexpired term is less than two years, the new member elected to fill the vacancy shall hold office for a period equal to the remainder of the term of the vacated office plus four years.

(c) The regulations adopted by the board pursuant to this section and Section 22200 shall not be subject to Article 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(d) The regulations adopted by the board shall provide that the elections be conducted in the most cost-effective manner deemed feasible. The board, where practicable, shall consolidate election

mailings with other mailings and shall address any other feasible cost-saving measures.

SEC. 4. Sections 1 and 2 of this act shall become operative on January 1, 2004.

